

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

CC Docket No. 98-170

In the Matter of

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)

Truth-in-Billing

)

and

)

Billing Format

)

**Supplement to October 27, 1999
Petition for Temporary, Limited Waiver**

The Petitioning Local Exchange Companies ("Petitioners") that filed a Petition for Temporary, Limited Waiver on October 27, 1999 in the above-captioned proceeding ("Petition"), by counsel, hereby file this Supplement to include three (3) additional companies in the Petition, Deerfield Farmers' Telephone Company, North Central Telephone Cooperative, Empire Telephone Corporation, and North Penn Telephone Company (the "Companies").¹ Like the Petitioners, the Companies hereby seek temporary, limited waiver of the Truth-in-Billing ("TIB") requirements, set forth in 47 C.F.R. § 64.2400, established by the Federal Communications Commission ("Commission" or "FCC") in its First Report and Order and Further Notice of Proposed Rulemaking in the above-captioned matter.² Specifically, the Companies seek temporary waiver

¹ Attachment A hereto are the declarations of each of the Companies joining this Supplement, along with a revised copy of "Attachment A" which adds the names of the Companies to the list of Petitioners originally included in the Petition. The declarations contain facsimile signatures. The original signed declarations will be filed with the Commission upon receipt by counsel.

² In the Matter of Truth-in-Billing and Billing Format, First Report and Order and Further Notice of Proposed Rulemaking, CC Docket No. 98-170, FCC 99-72, released May 11, 1999, 64 Fed. Reg. 34488 (June 25, 1999); Errata, CC Docket No. 98-170, DA 99-2092, released October 6, 1999.

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until April 1, 2000, of Section 64.2401(d) regarding disclosure of inquiry contacts (the "TIB Inquiry Contact Rule").³

The factual circumstances confronting each of the Companies is generally the same as that confronting each of the Petitioners as stated in the Petition. Moreover, the policy bases and remedial measures that the Companies will each take during the time that the requested waiver is in effect are the same. Accordingly, this Supplement is filed in order to add the Companies to the list of Petitioners, without unnecessarily burdening the record with pleadings that duplicate the Petition. In the event the Commission deems it necessary, however, the Companies will file separate waiver requests.

Accordingly, because the Companies, like the Petitioners, are technically incapable of complying with the TIB Inquiry Contact Rule by November 12, 1999 (for the reasons stated in the Petition), a grant of this request until April 1, 2000 will ensure that the Companies can implement the directives from the Commission with respect to TIB in an efficient manner while avoiding unnecessary expense or raising additional Year 2000 compliance issues. At the same time, and for the same reasons stated in the Petition, the consumer goals of the TIB Inquiry Contact Rule will not be frustrated by a grant of this request. Rather, such goals will be furthered by each of the

³ 47 C.F.R. § 64.2401(d) states that

Telephone bills must contain clear and conspicuous disclosure of any information that the customer may need to make inquiries about, or contest charges, on the bill. Common carriers must prominently display on each bill a toll-free number or numbers by which customers may inquire or dispute any charge contained on the bill. A carrier may list a toll-free number for a billing agent, clearinghouse, or other third party, provided that such party possesses sufficient information to answer questions concerning the customer's account and is fully authorized to resolve consumer complaints on the carrier's behalf. Each carrier must make its business address available upon request to consumers through its toll-free number.

Companies as they continue to provide customer assistance and respond to questions received regarding the charges for services or the identity of service providers.

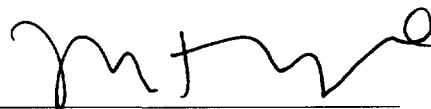
In addition, the Petitioners hereby supplement the record to reflect their recognition that a pending Joint Petition filed by the National Exchange Carrier Association, Inc., the National Telephone Cooperative Association, and the Organization for the Promotion and Advancement of Small Telecommunications Companies, Inc. (collectively the "Associations") also seeks similar relief for their member companies and, if granted, may provide the relief requested herein.

Accordingly, for the reasons stated in the Petition and the declarations attached hereto, the Companies request a waiver of the requirements of 47 C.F.R. § 64.2401(d) until April 1, 2000, to the extent that Commission action on other filed petitions, including that filed by the Associations, does not grant the extent of relief requested herein.

Respectfully submitted,

Deerfield Farmers Telephone Company
North Central Telephone Cooperative
Empire Telephone Corporation
North Penn Telephone Company

By



David Cosson
Thomas J. Moorman
Margaret Nyland

Their Attorneys

Kraskin, Lesse & Cosson, LLP
2120 L Street, NW, Suite 520
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202-296-8890

November 5, 1999

Attachment

Alenco Communications, Inc.
Armstrong Telephone Company - Maryland
Armstrong Telephone Company - Northern Division
Armstrong Telephone Company - New York
Armstrong Telephone Company - Pennsylvania
Armstrong Telephone Company - West Virginia
Armstrong Telephone Company - North
Blossom Telephone Company
Brazos Telecommunications, Inc.
Brazos Telephone Cooperative, Inc.
Champlain Telephone Company
Davies-Martin County Rural Telephone Corporation
Deerfield Farmers' Telephone Company
DeKalb Telephone Cooperative d/b/a DTC Communications
Eastex Telephone Cooperative, Inc.
Empire Telephone Corporation
Five Area Telephone Cooperative
Georgetown Telephone Company
Germantown Telephone Co.
Home Telephone Company
Livingston Telephone Company
Muenster Telephone Corporation of Texas
New Paris Telephone, Inc.
Nortex Telcom, L.L.C.
North Central Telephone Cooperative
North Penn Telephone Company
North Pittsburgh Telephone Company
Riviera Telephone Company
Santa Rosa Telephone Cooperative, Inc.
South Central Rural Telephone Cooperative, Inc.
South Plains Telephone Cooperative
Southwest Arkansas Telephone Coop., Inc.
West Kentucky Rural Telephone Cooperative
West Plains Telecommunications, Inc.
West Point Telephone Company, Inc.
West Texas Telephone Cooperative, Inc.
XIT Rural Telephone Cooperative, Inc.
XIT Telecommunications & Technology, Inc.

DEERFIELD FARMERS' TELEPHONE COMPANY

Deerfield Farmers' Telephone Company (the "Company") provides exchange and exchange access services to approximately 2,800 lines in Michigan. The Company is a member of the United States Telecom Association ("USTA") and is a rural telephone company under the Communications Act of 1934 as amended. The Company utilizes National Independent Billing for the provision of billing software and uses INS as its clearinghouse for casual calling and alternate service provider billing and collection arrangements. The Company contacted its billing vendor with respect to the FCC's Truth-in-Billing ("TIB") requirements in May, 1999. Since that time, the Company has had discussions with its billing vendor regarding TIB Rule compliance. Because of backlog and/or programming demands (including those arising from Year 2000 issues), the vendor has indicated that it is not capable of providing the necessary software updates required to comply with inquiry contact requirements at this time. TIB implementation is further complicated by the fact that the Company currently provides billing and collection services for casual calling and alternate service providers. The Company is not yet capable of listing inquiry contacts on bills for these providers. Accordingly, the Company requests that this requirement be extended to April 1, 2000, the date that certain other TIB rule requirements are to be effective. The Company will, however, engage in proper testing and will continue to work with its clearinghouse and software vendor to coordinate the resolution of this issue. Until the requested waiver expires, the Company will continue to provide its contact number to customers with questions concerning charges of particular carriers, and will facilitate the customer's effort to contact such carriers.

DECLARATION OF DAVID LA ROCCA

I, David La Rocca, President of Deerfield Farmers' Telephone Company ("Deerfield"), do hereby declare under penalties of perjury that I have read the foregoing "Petition for Temporary, Limited Waiver," filed October 27, 1999, and the information contained therein describes the status of Deerfield's TIB compliance and is true and accurate to the best of my knowledge, information, and belief.

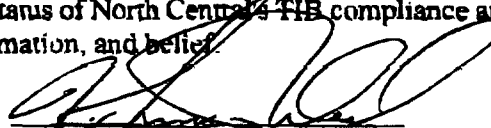
Date 11-5-99David La Rocca
President

NORTH CENTRAL TELEPHONE COOPERATIVE

North Central Telephone Cooperative (the "Company") provides exchange and exchange access services to approximately 20,500 lines in Kentucky (approximately 5,000 lines) and Tennessee (approximately 15,500 lines). The Company is a member of the United States Telephone Association ("USTA") and is a rural telephone company under the Communications Act of 1934 as amended. The Company utilizes APTIS for the provision of billing software and uses INS as its clearinghouse for casual calling and alternate service provider billing and collection arrangements. The Company contacted its billing vendor with respect to the FCC's Truth-in-Billing ("TIB") requirements in August, 1999. Since that time, the Company has had discussions with its billing vendor regarding TIB Rule compliance. Because of backlog and/or programming demands (including those arising from Year 2000 issues), the vendor has indicated that it is not capable of providing the necessary software updates required to comply with inquiry contact requirements at this time. TIB implementation is further complicated by the fact that the Company currently provides billing and collection services for casual calling and alternate service providers. The Company is not yet capable of listing inquiry contacts on bills for these providers. Accordingly, the Company requests that this requirement be extended to April 1, 2000, the date that certain other TIB rule requirements are to be effective. The Company will, however, engage in proper testing and will continue to work with its clearinghouse and software vendor to coordinate the resolution of this issue. Until the requested waiver expires, the Company will continue to provide its contact number to customers with questions concerning charges of particular carriers, and will facilitate the customer's effort to contact such carriers.

DECLARATION OF F. THOMAS ROWLAND

I, F. Thomas Rowland, Executive Vice President and General Manager of North Central Telephone Cooperative ("North Central"), do hereby declare under penalties of perjury that I have read the foregoing "Petition for Temporary, Limited Waiver," filed October 27, 1999, and the information contained therein describes the status of North Central's TIB compliance and is true and accurate to the best of my knowledge, information, and belief.

Date 11/3/99

F. Thomas Rowland
Executive Vice President
and General Manager


**EMPIRE TELEPHONE CORPORATION
NORTH PENN TELEPHONE COMPANY**

Empire Telephone Corporation provides exchange and exchange access services to approximately 8,444 lines in New York and its affiliate, North Penn Telephone Company, provides exchange and exchange access services to approximately 5,336 lines in Pennsylvania. Each Company is a member of the United States Telecom Association ("USTA") and each is a rural telephone company under the Communications Act of 1934 as amended. The Companies utilize Comsoft for the provision of billing software and use Illuminet as their clearinghouse for casual calling and alternate service provider billing and collection arrangements. The Companies contacted their billing vendor with respect to the FCC's Truth-in-Billing ("TIB") requirements in August, 1999. Since that time, the Companies have had discussions with their billing vendor regarding TIB Rule compliance. Because of backlog and/or programming demands (including those arising from Year 2000 issues), the vendor has not yet provided the necessary software updates required to comply with inquiry contact requirements at this time. TIB implementation is further complicated by the fact that the Companies currently provide billing and collection services for casual calling and alternate service providers. The Companies are not yet capable of listing inquiry contacts on bills for these providers. Accordingly, the Companies request that this requirement be extended to April 1, 2000, the date that certain other TIB rule requirements are to be effective. The Companies will, however, engage in proper testing and will continue to work with their clearinghouse and software vendor to coordinate the resolution of this issue. Until the requested waiver expires, each Company will continue to provide its contact number to customers with questions concerning charges of particular carriers, and will facilitate the customer's effort to contact such carriers.

DECLARATION OF ROBERT WAGNER

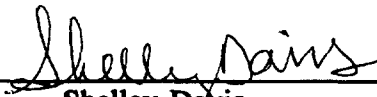
I, Robert Wagner, President of Empire Telephone Corporation and North Penn Telephone Company (the "Companies"), do hereby declare under penalties of perjury that I have read the foregoing "Petition for Temporary, Limited Waiver," filed October 27, 1999, and the information contained therein describes the status of the Companies' TIB compliance and is true and accurate to the best of my knowledge, information, and belief.

Date 11/6/99


Robert Wagner
President

CERTIFICATE OF SERVICE

I, Shelley Davis, of Kraskin, Lesse & Cosson, LLP, 2120 L Street, NW, Suite 520, Washington, DC 20037, hereby certify that a copy of the foregoing "Supplement to October 27, 1999 Petition for Temporary, Limited Waiver" was served on this 5th day of November, 1999 by hand delivery to the following parties:


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